

CLOSED

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

WESLEY DENNIS ROSEBURE,	:	Civil No. 10-0012 (WJM)
	:	
Plaintiff,	:	
	:	<u>ORDER</u>
V.	:	
	:	
STATE OF NEW JERSEY, et al.,	:	
	:	
Defendants.	:	
	:	

For the reasons expressed in the Opinion filed herewith,

IT IS on this 19th day of August, 2010,

ORDERED that Plaintiff's application to proceed in forma pauperis is hereby granted and the Clerk shall file the Complaint without prepayment of the filing fee; and it is further

ORDERED that the Complaint is DISMISSED for failure to state a claim upon which relief may be granted, without prejudice to the filing of an amended complaint, within 30 days of the date of the entry of this Order, stating a cognizable claim under 42 U.S.C. § 1983; and it is further

ORDERED that, if Plaintiff files an amended complaint within 30 days of the date of the entry of this Order, then the Court will thereafter enter an order reopening the file and screening the amended complaint for dismissal; and it is finally

ORDERED that the Clerk shall serve this Order and the accompanying Opinion upon Plaintiff, and shall close the file.

s/William J. Martini

WILLIAM J. MARTINI, U.S.D.J.